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EDGAR RAFAEL NAVARRO CHAVOYA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 EDGAR RAFAEL NAVARRO
CHAVOYA,

15 Defendant.
16

Case No. 1:21-cr-00314-JLT-SKO-1

**STIPULATION TO MODIFY
CONDITION OF PRETRIAL RELEASE;
ORDER THEREON**

Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Alexandre Dempsey, counsel for plaintiff, and
19 Assistant Federal Defender Erin Snider, counsel for Edgar Rafael Navarro Chavoya, that the
20 condition requiring Mr. Navarro Chavoya to remain on home incarceration be modified to
21 curfew. Pretrial Services Officer Margarita Zepeda supports this modification.

22 On December 15, 2022, this Court ordered Mr. Navarro Chavoya release on a \$100,000
23 property bond with the condition that he be subject to home incarceration. *See* ECF #7; ECF #18.
24 The property bond was posted on January 18, 2022, and Mr. Navarro Chavoya was released that
25 same day. Since his release, Mr. Navarro Chavoya has remained in full compliance with the
26 conditions of his release.

27 Mr. Navarro Chavoya now requests that the Court modify the location monitoring
28 condition to permit Mr. Navarro Chavoya to leave his residence from 7:00 a.m. to 5:00 p.m. each

1 day so that he may better assist his partner, Martiza Gonzalez, with child-related responsibilities
2 and to assist his parents, with whom he lives, with household-related responsibilities. Mr.
3 Navarro Chavoya also requests a one-time modification of his curfew so that he may attend his
4 daughter's birthday party on October 8, 2022, which is anticipated to go to 6:00 p.m. Pretrial
5 Services Officers Margarita Zepeda supports the proposed modification to curfew and the one-
6 time modification to the curfew time.

7 Accordingly, the parties stipulate that Condition 7(m) be modified as follows:

8 You must participate in the following location monitoring program component
9 and abide by all the requirements of the program, which will include having a
10 location monitoring unit installed in your residence and a radio frequency
11 transmitter device attached to your person. You must comply with all instructions
12 for the use and operation of said devices as given to you by the Pretrial Services
13 Agency and employees of the monitoring company. You must pay all or part of
14 the costs of the program based upon your ability to pay, as determined by the
15 pretrial services officer. **CURFEW:** You must remain inside your residence every
16 day from 5:00 p.m. to 7:00 a.m., or as adjusted by the pretrial services officer for
17 medical, religious services, employment or court-ordered obligations, with the
18 exception of October 8, 2022, during which you must remain inside your
19 residence from 6:00 p.m. to 7:00 a.m. the following day.

20 Respectfully submitted,

21 PHILLIP A. TALBERT
22 United States Attorney

23 Date: October 5, 2022

24 /s/ Alexandre Dempsey
25 ALEXANDRE DEMPSEY
26 Assistant United States Attorney
27 Attorney for Plaintiff

28 HEATHER E. WILLIAMS
Federal Defender

Date: October 5, 2022

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
EDGAR RAFAEL NAVARRO CHAVOYA

ORDER

Upon the parties' stipulation and for good cause shown, it is hereby ordered that Condition 7(b) of defendant Edgar Rafael Navarro Chavoya's pretrial release be modified as follows:

You must participate in the following location monitoring program component and abide by all the requirements of the program, which will include having a location monitoring unit installed in your residence and a radio frequency transmitter device attached to your person. You must comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You must pay all or part of the costs of the program based upon your ability to pay, as determined by the pretrial services officer. **CURFEW:** You must remain inside your residence every day from 5:00 p.m. to 7:00 a.m., or as adjusted by the pretrial services officer for medical, religious services, employment or court-ordered obligations, with the exception of October 8, 2022, during which you must remain inside your residence from 6:00 p.m. to 7:00 a.m. the following day.

IT IS SO ORDERED.

Dated: October 5, 2022

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE